GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Kakinada District - Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot, now retired as Tahsildar - Violation of APCS (Conduct) Rules, 1964 - Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 r/w Rule 9 of A.P.R.P.Rules, 1980 - Articles of charges - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.413 Dated:02.05.2024
Read the following:-

1. From the CCLA, A.P., Lr. Ref.REV02-28021/2/2023-VIGILANCE II SEC-CCLA Dated 12.09.2023.
2. G.O.Ms.No.153,Revenue (Vig.III) Department, Dt:02.05.2024

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ORDER:

In pursuance of the sanction accorded in the reference 2nd read above, it is proposed to hold an enquiry against Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot, now retired as Tahsildar in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure—I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure - III & IV).

3. Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot, now retired as Tahsildar is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot, now retired as Tahsildar is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot, now retired as Tahsildar is further informed that if he does not submit his written statement of defense on or before the date specified in Para—3 above, further action will be processed based on the material available.

6. Attention of Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot, now retired as Tahsildar is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service

(P.T.O)

under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri M.Mohan, Tahsildar (Retd) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

To:

Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot, now retired as Tahsildarthrough the Collector & District Magistrate, Kakinada District.

Copy to:

The Collector & District Magistrate, Kakinada District.
The Chief Commissioner of Land Administration, A.P, Mangalagiri.
Sf/Sc.

// FORWARDED :: BY ORDER//

SECTION OFFICER

8841126/2024/TAPPAL-REV01

ANNEXURE – I

Article of Charges framed against Sri Y.Visweswara Rao, the then Civil Supplies Deputy Tahsildar, Samalkot and then retired as Tahsildar .

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Article of Charge –I:-

That, Sri Y.Visweswara Rao while working as CSDT, Samalkot Mandal has accompanied with the officials of Vigilance & Enforcement department and inspected M/s.Sri Satya Rice Mill, Unduru Village, Samalkota Mandal on 04.09.2019 and noticed that there is involvement of six (6) individuals in the event of illegal diversion of PDS rice. On 09.09.2019, he lodged a complaint U/Sec.7 of EC Act, 1955 before the Station House Officer, Thimmapuram P.S against three (3) individuals only instead of initiation of criminal action against all the six (6) individuals involved. He intentionally omitted the below three (3) names who involved in this episode.

1) Toomu Satyanarayana S/o.Somaraju (who contacted the driver over phone to led the van)
2) K.Naga Siva (who took van driver to the places of PDS Rice Stock points and loaded 30 Bags of PDS Rice in to the van)
3) V.Nageswara Rao (who loaded 30 Bags of PDS Rice in to the van)

Thus. Sri Y. Visweswara Rao the then CSDT acted in a manner of unbecoming of a Public servant and committed gross negligence, failure, misconduct while discharging his duties as the CSDT thereby failed to maintain absolute integrity and contravened the rules 3 (1), 3 (2) & 3 (3) of APCS (Conduct) Rules, 1964. Hence, the charge.

Article of charge - II :

That, Sri Y. Visweswara Rao while working as CSDT, Samalkota has identified and having fully known that there is illegal/un-authorized transportation of Sixty (60) bags of PDS rice is involved in this case. Whereas, while filing a complaint dated 09.09.2019 before the Station House Officer, Timmapuram Police Station, he him-self has mentioned only thirty (30) bags instead of sixty (60) bags of PDS rice.

Thus, Sri Y. Visweswara Rao, Former CSDT, Samalkota, Kakinada District now retired as Tahsildar has exhibited lack of devotion to duty and conduct unbecoming of a Government Servant and thereby contravened rule 3 of APCS (conduct) Rules 1964. Hence, the charge.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

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SECTION OFFICER

8841126/2024/TAPPAL-REV01

ANNEXURE – II

Statement of imputations of misconduct or misbehavior in support of Article of Charges framed against CSDT, Samalkot Mandal

On 04.09.2019, the officials of Vigilance and Enforcement dept. along with the VROs of Unduru and Valluru Villages conducted a surprise check at Sri Satya Rice Mill, Unduru (V), Samalkola (M). When they entered into the premises of the said rice mill, they found some rice bags in a van bearing No.AP31X4560 unloading the said rice bags found in white plastic colour tied with ropes.

Sri Y. Visweswara Rao, CSDT has lodged a complaint at Thimmapuram Police Station on 09.09.2019 in which he omitted the role of 1) Sri Toomu Satyanarayana, 2) Sri Siva and 3) Sri Nageswara Rao and requested the SHO to take action against 1) Bojja Suresh, the Van Driver, 2) Toomu Somaraju, Proprietor of Sri Satya Rice Mill, Unduru and 3) Thota Sai Ram only.

The CSDT in his complaint explained the reason for delay in lodging complaint to the SHO as he has submitted case file to the Collector, Kakinada on 05.09.2019 and obtained clarification to lodge the complaint.

The SHO Thimmapuram Police Station has registered the said complaint of CSDT as FIR No. 168/2019 under Section 406, 420 IPC r/w 34 IPC and 7(1) (A) (1) of Essential Commodities Act. He filed charge sheet in the Court of the Hon'ble IV Addl. Judicial First Class Magistrate, Kakinada in which the above said six persons were shown as accused.

The CSDT has stated that during inspection, since Sri Siva, and Sri Nageswara Rao are not at the Rice mill, their names were not mentioned in the complaint and by mistake he omitted the name of Sri Toomu Satyanarayana while drafting the complain given to SHO. He also admitted that by mistake instead of writing 60 bags of PDS rice he wrote 30 bags of PDS rice in the complaint.

The V&E department has opined that the version of the officer is not convincing. He should be careful while discharging his duties and filing criminal cases against the accused. It is clearly revealed that though the involvement of Toomu Satyanarayana who is the son of Toomu Somaraju (Rice Mill Owner) Sri Siva, and Sri Nageswara Rao is clearly established, the CSDT has intentionally omitted their names in the complaint lodged at Police Station. The CSDT has exhibited gross misconduct by not mentioning the involvement of the above 3 persons who involved in illegal hoarding of PDS Rice in his report given at P.S. Sri Y.Visweswara Rao, Former CSDT, Samalkota, Kakinada District now retired as Tahsildar has intentionally omitted the names of the persons who involved in illegal hoarding of PDS Rice in the complaint lodged at Thimmapuram P.S acted in the matter of unbecoming of a Public Servant and committed gross misconduct while discharging his duties as CSDT and therefore requested to take disciplinary action against him. Hence, the charges framed for the lapses noticed.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

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SECTION OFFICER

8841126/2024/TAPPAL-REV01

ANNEXURE – III

List of documents by which the article of charges framed against CSDT, Samalkot Mandal are proposed to be sustained.

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Basis of the Charge:-

1. Complaint filed by Sri Y.Visweswara Rao Dated 09.09.2019.
2. Vigilance Report No.22 (C.no.3779/V&E/D2/2019, dated 09.03.2021 of the General Administration (V&E) Department.
3. Govt.Memo.No.FCS01-FCCS/6/2021-CS-II, DATED 01.11.2021 of the Secretary to Government, Civil Supplies Dept., A.P. Secretariat.
4. Ref.V3/CS/440/2019, dated 25.06.2022 of the DCSO, kakinada.
5. Ref.V3/CS/440/2019, dated 13.07.2023 of the DCSO, Kakinada.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

// FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE – IV

List of witnesses by whom the articles of charge framed against CSDT, Samalkot Mandal are proposed to be sustained.

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-NIL-

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AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

// FORWARDED :: BY ORDER//

SECTION OFFICER